

**REMARKS**

Claims 1-17 have been examined and are all the claims pending in the application.

Claim amendments are set forth reiterating the combining of data to create generate the second display data which is otherwise described by the prior pending claim, as exemplified by claims 3 and 9, for example. Therefore, Applicant requests entry of the amendments as they do not raise new issues.

**I. Rejection under 35 U.S.C. § 102**

Claims 1, 3-5, 7, 9, 10, 13 and 16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ito et al. (US Pub. No. 2002/0004415). Applicant traverses this rejection.

**A. Claim 1**

In Applicant's arguments filed on November 30, 2007, Applicant argued:

Ito, however, does not disclose a switch which is provided among a display data generating section, said TV telephone processing section and said display unit, as recited in claim 1. That is, Ito does not disclose a switch that is related to three components, two of which are connected at a time (i.e., a cross-over switch). As claimed, claim 1 requires the first switch to connect said display data generating section and said display unit in the general use mode, and to connect the TV telephone processing section and said display unit in the TV telephone use mode.

The Examiner responds in the current Office Action, noting that features upon which Applicant relies (i.e., a three-way switch) are not recited in the rejected claim, and thus, cannot be read into the claims for consideration against the cited art. Despite this point, the Examiner fails to consider the first switch as claimed in claim 1. Applicant respectfully requests reconsideration in view of the following comments.

Claim 1 recites, "a first switch provided among said display data generating section, said TV telephone processing section and said display unit; and a control section which controls said

first switch to connect said display data generating section and said display unit in said general use mode such that said first display data is supplied to said display unit and to connect said TV telephone processing section and said display unit in said TV telephone use mode such that said second display data is supplied to said display unit.” That is, the first switch connects the display data generating section to the display unit in the general use mode, and the first switch connects the TV telephone processing section and the display unit in the TV telephone use mode. Therefore, a person of ordinary skill in the art would readily understand that the display unit is connected alternatively to the display data generating section or the TV telephone processing section by the first switch depending on which mode the information communication terminal is in.

Ito, on the other hand, clearly shows that switch 6 connects decoding section 8 and controller 5 in an ON state to permit the transmission of an image signal for displaying video data on the display and that switch 6 disconnects from controller 5 in an OFF state such that the image signal is not transmitted to the display (paragraph 40 and Fig. 2). In the OFF state, switch 6 does not connect the display unit to a display data generating section or to a TV telephone processing section. Therefore, Ito fails to disclose each and every feature of claim 1 and should be patentable for at least this reason.

In Applicant’s arguments filed on November 30, 2007, Applicant also noted:

During a videophone call, an image signal is received, decoded and displayed. In order to reduce consumption of the battery, decoding is stopped and an image stored in memory 4 is displayed on the display after a predetermined time period elapses, albeit the videophone call is still in session (paragraph 43). Thus, a still image stored in memory 4 is displayed during the videophone call after a predetermined period of time such that switch 6 may be turned off to save power (paragraph 47). The still image may be a particular icon or a message indicating that a videophone call is currently being executed (paragraph 48).

The Examiner asserts that paragraphs 40 and 47 of Ito clearly teach when switch 6 is ON video data is displayed and when switch 6 is OFF message data is displayed. However, the video data and the message data are displayed in the same mode of operation, a videophone call mode. That is, even though the ON state and OFF state may represent “sub-modes” of operation of a videophone call, Ito clearly discloses that switch 6 is switched between the ON state and the OFF state during a videophone call (i.e., during the alleged TV telephone use mode). Therefore, Ito fails to disclose the first switch which connects said display data generating section and said display unit in said general use mode such that said first display data is supplied to said display unit and to connect said TV telephone processing section and said display unit in said TV telephone use mode such that said second display data is supplied to said display unit. Therefore, Ito fails to disclose each and every feature of claim 1 and should be patentable for at least this reason.

**B. Claim 3**

Claim 3 recites, *inter alia*, “a combining circuit which reads out said converted display data, said expanded motion picture display data and said converted motion picture display data from said first memory to combine into said second display data, and outputs said second display data to said first switch.” The Examiner asserts that paragraphs 43, 47 and 48 of Ito clearly teaches creating or synthesizing an image from data stored in memory 4. In particular, the Examiner asserts that the still image stored in memory 4 reads on the claimed converted display data. The Examiner also asserts that video data decoded in decoding section 8 reads on the claimed expanded motion picture display data. Furthermore, the Examiner asserts that video data from camera 10 encoded in encoding section 9 reads on the claimed converted motion picture display data.

The Examiner, however, appears to be ignoring features of the claimed invention. For example, claim 3 recites the combining circuit which reads out said converted display data, said expanded motion picture display data and said converted motion picture display data from said first memory to combine into said second display data. That is, the three data types are read out by the combining circuit and are combined into the second display data. Ito does not disclose combining the still image, the decoded video data and the encoded video data to generate display data.

For example, during a videophone call, a (video) image signal is received, decoded and displayed. In order to reduce consumption of the battery, decoding is stopped and a still image stored in memory 4 is displayed on the display after a predetermined time period elapses, albeit the videophone call is still in session (paragraph 43). Thus, Ito discloses switching between displaying the decoded video data and the still image during a videophone call (paragraph 47). Therefore, the still image and the decoded image are never combined into (second) display data, which is output to the first switch. Furthermore, the still image is never output to switch 6, the alleged first switch.

Similarly, a person of ordinary skill in the art would not combine the decoded video data and the encoded video data into the second display data. In particular, encoding section 9 encodes the image signal of a camera 10 into a digital image signal containing image data (paragraph 42). Thereafter, the decoding section 8 decodes the digital image signal into an analog image signal to be displayed on the display screen 11 (paragraph 41 and Fig. 2). Therefore, the encoded video data is at best transformed into the decoded video data by the decoding section 8. However, the encoded video data and the decoded video data are not

combined into the second display data. Moreover, the still image, the encoded video data and the decoded video data are not combined into the second display data, as recited by claim 3.

In view of the above, Ito fails to disclose each and every feature of claim 3. Claim 3 should be patentable for at least this reason.

**C. Remaining claims**

Claims 7 and 9 include analogous, though not necessarily coextensive features in conjunction with claims 1 and 3, respectively. Therefore, claims 7 and 9 are also patentable for the reason discussed above.

Claims 4, 5, 10, 13 and 16 are patentable at least by virtue of their dependencies.

**II. Rejections under 35 U.S.C. § 103**

**A. Claims 2, 6, 8, 11, 14 and 17**

Claims 2, 6, 8, 11, 14 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito in view of Sawachi (US Pub. No. 2003/0011704). However, Sawachi does not correct the deficiencies of Ito with respect to claims 1, 3, 7 and 9. Therefore, claims 2, 6, 8, 11, 14 and 17 should be patentable at least by virtue of their respective dependencies.

In addition, claim 14 recites that “said second switch is automatically switched in conjunction with said first switch in response to a selected mode, wherein said selected mode is said general use mode or said TV telephone use mode.” The Examiner asserts that Ito combined with Sawachi, as in claim 2, clearly teaches said second switch is automatically switched in conjunction with said first switch in response to a selected mode, wherein said selected mode is said general use mode or said TV telephone use mode, citing paragraphs 59 and 71 of Sawachi. Sawachi, however, merely teaches that when camera 10 is turned on, SW17 is turned on for supplying power to the digital signal processor (DSP) 102 of the camera 10 (paragraph 59, 68

and 69). Similarly, when the camera 10 is switched off, SW17 is off. Switch 6 (i.e., the alleged first switch) of Ito, on the other hand, is switched during a videophone call to interrupt decoding of digital video data (paragraphs 40 and 43). Although Ito also teaches a camera 10, there is no teaching or suggestion that when switch 6 is switched, a switch with the camera 10 is also switched. For example, switch 6 is not a switch for turning on or off the power to camera 10. Therefore, there is no teaching that the alleged second switch (SW17 of Sawachi) is automatically switched in conjunction with the alleged first switch (switch 6 of Ito) in response to a selected mode, wherein said selected mode is said general use mode or said TV telephone use mode. Claim 14 should be patentable for at least this additional reason.

Claim 17 includes analogous, though not necessarily coextensive features recited in claim 14, and therefore, claim 17 should be patentable for similar additional reasons discussed above.

**B. Claims 12 and 15**

Claims 12 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ito in view of Yap et al. (US Pub. No. 2003/0043260). However, Yap does not correct the deficiencies of Ito with respect to claims 1, 3, 7 and 9. Therefore, claims 12 and 15 should be patentable at least by virtue of their respective dependencies.

In addition, claim 12 recites "said first display data is a user interface display data which comprises at least one of operation menus, telephone numbers, e-mail data, browser display data, battery level, and radio wave strength data." The Examiner acknowledges that Ito does not teach the above features, and thus, relies on Yap to correct this deficiency. On page 4 of the Office Action, however, the Examiner asserts that the still image of Ito reads on the first display data of the claimed invention. Ito teaches that the still image is displayed during videophoning, indicating that a video phone call is being executed (paragraphs 47-48). There is no teaching or

suggestion provided in the cited art for modifying this feature of Ito as suggested by the Examiner. Therefore, claim 12 should be patentable for at least this reason.


Claim 15 includes analogous, though not necessarily coextensive features recited in claim 12, and therefore, claim 15 should be patentable for similar additional reasons discussed above.

### III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,

  
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